**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO.366 OF 2007**

Shri Jaggannath Raghunath Shelke. ... Petitioner

V/s.

The Superintendent & Ors. ... Respondent

Mr. Vijay Mane for the petitioner.
Mrs. A.S. Pai, APP for the State.

**CORAM : SMT. RANJANA DESAI &**
**ANOOP V. MOHTA,JJ.**

**DATED : 5th March, 2007**.

**P.C.**

1. The petitioner has prayed for furlough leave/ parole for a period of one month. His case is that his mother, who is 70 years old is serious. Medical Certificate issued by the Medical Officer of Primary Health Centre, Nere-Panvel is annexed to the Petition which inter-alia indicates that the petitioner's mother is suffering from malignancy small intestine malaria.

2. We are informed that application is rejected by the prison authorities. That rejection order is not annexed to the petition. If the petitioner wants to

be released on parole, he will have to approach Divisional Commissioner, Pune. The petitioner may do so. If any application is made by the petitioner, the Divisional Commissioner shall consider it expeditiously.

3. In view of the fact that the petitioner's mother is alleged to be suffering from malignancy small intestine malaria, so far as his prayer for furlough is concerned, the petitioner can file a separate petition annexing order of the prison authorities rejecting his furlough application.

4. Petition is disposed of in the aforesaid terms.

**[SMT. RANJANA DESAI,J.]**

**[ANOOP V. MOHTA,J.]**